
By: **Senators Teitelbaum, Astle, Dyson, Exum, Hafer, Hollinger, Kelley,
Klausmeier, McFadden, and Pinsky**

Introduced and read first time: January 31, 2003

Assigned to: Finance

Reassigned: Finance and Budget and Taxation, February 5, 2003

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 2003

CHAPTER _____

1 AN ACT concerning

2 ~~Maryland Health Care Foundation~~ **Maryland Medbank Program -**
3 **Administration, Extension, and Funding**

4 FOR the purpose of extending the termination date of the Maryland Medbank
5 Program ~~administered by the Maryland Health Care Foundation~~; requiring the
6 Maryland Medbank Program to be administered by the Department of Health
7 and Mental Hygiene; requiring the Department to contract with certain entities
8 to operate the Program; requiring the Department to ensure that the Program is
9 available to residents in certain geographic regions of the State; requiring the
10 Department to use certain regional offices; requiring the Department to require
11 certain financial reports from entities that operate the Program; requiring the
12 Department to release funds to certain entities; requiring the Department to
13 report certain information to the Governor and General Assembly on or before a
14 certain date each year; authorizing Maryland Medbank Program funds to be
15 used to distribute medication to enrollees under certain circumstances;
16 ~~requiring the Governor to include in the annual budget bill a certain~~
17 ~~appropriation~~ Department to request funding for a certain purpose; providing
18 for the termination of this Act; and generally relating to the Maryland Medbank
19 Program ~~administered by the Maryland Health Care Foundation.~~

20 BY repealing and reenacting, with amendments,
21 Article - Health - General
22 Section 15-124.2
23 Annotated Code of Maryland
24 (2000 Replacement Volume and 2002 Supplement)

1 BY repealing and reenacting, with amendments,
 2 Chapter 134 of the Acts of the General Assembly of 2001, as amended by
 3 Chapter 153 of the Acts of the General Assembly of 2002
 4 Section 12

5 BY repealing and reenacting, with amendments,
 6 Chapter 135 of the Acts of the General Assembly of 2001, as amended by
 7 Chapter 153 of the Acts of the General Assembly of 2002
 8 Section 12

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 10 MARYLAND, That the Laws of Maryland read as follows:

11 **Article - Health - General**

12 15-124.2.

13 (a) ~~(1)~~ In this ~~section~~ the following words have the meanings indicated.

14 ~~(2)~~ "Foundation" means the Maryland Health Care Foundation
 15 established under ~~§ 20-502~~ of this article.

16 ~~(3)~~ SECTION. "Program" means the Maryland Medbank Program
 17 established under this section.

18 (b) There is a Maryland Medbank Program.

19 (c) The purpose of the Program is to improve the health status of individuals
 20 throughout the State who lack prescription drug coverage by providing access to
 21 medically necessary prescription drugs through patient assistance programs
 22 sponsored by pharmaceutical drug manufacturers.

23 (d) (1) Subject to paragraph (2) of this subsection, the Program shall be
 24 administered by the ~~Foundation~~ DEPARTMENT.

25 (2) The ~~Foundation~~ DEPARTMENT shall contract with one or more
 26 government or nonprofit entities to operate the Program.

27 (e) (1) The administration and operation of the Program shall be funded
 28 through a grant provided by the Department.

29 (2) Program funds may be used in part to:

30 (I) [purchase] PURCHASE interim supplies of prescription drugs
 31 for enrollees who have applied to participate in a manufacturer's patient assistance
 32 program but have not yet received the approved prescription drug; AND

33 (II) DISTRIBUTE MEDICATION TO ENROLLEES WHO HAVE BEEN
 34 APPROVED TO PARTICIPATE IN A MANUFACTURER'S PATIENT ASSISTANCE PROGRAM.

1 (f) (1) The ~~Foundation~~ DEPARTMENT shall ensure that the Program is
2 available to residents in each of the following geographic regions of the State:

- 3 (i) Western Maryland;
- 4 (ii) The Eastern Shore;
- 5 (iii) The Baltimore metropolitan area;
- 6 (iv) The Maryland counties in the Washington, D.C. metropolitan
7 area; and
- 8 (v) Southern Maryland, including Anne Arundel County.

9 (2) The ~~Foundation~~ DEPARTMENT shall use Medbank of Maryland, Inc.
10 and the Western Maryland Prescription Program as the regional offices for the
11 Baltimore metropolitan area and Western Maryland, respectively.

12 (g) Eligibility for the Program shall be limited only by the criteria established
13 by pharmaceutical manufacturers for their patient assistance programs.

14 (h) (1) The ~~Foundation~~ DEPARTMENT shall require detailed financial
15 reports at least quarterly from the entities that operate the Program.

16 (2) The ~~Foundation~~ DEPARTMENT shall release funds to the entities that
17 operate the Program as needed and justified by the quarterly reports filed in
18 accordance with paragraph (1) of this subsection.

19 (i) On or before December 1, 2001, and annually thereafter, the ~~Foundation~~
20 DEPARTMENT shall report to the Governor and, in accordance with § 2-1246 of the
21 State Government Article, to the General Assembly, on the status of the Maryland
22 Medbank Program established under this section, including:

23 (1) The number and demographic characteristics of the State residents
24 served by the Program;

25 (2) The types and retail value of prescription drugs accessed through the
26 Program;

27 (3) The nature and extent of outreach performed to inform State
28 residents of the assistance available through the Program; and

29 (4) The total volume and retail value of each brand name drug, by
30 manufacturer, accessed through the Program.

31 (J) FOR FISCAL YEAR 2005 AND EACH FISCAL YEAR THEREAFTER, THE
32 ~~GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF~~
33 ~~AT LEAST \$3,000,000 TO THE DEPARTMENT FOR TRANSFER TO THE FOUNDATION~~
34 SHALL REQUEST FUNDING IN THE BUDGET FOR THE SOLE PURPOSE OF MAKING ONE
35 OR MORE GRANTS TO ENTITIES TO OPERATE THE PROGRAM AS PROVIDED IN THIS
36 SECTION.

1 **Chapter 134 of the Acts of 2001, as amended by Chapter 153 of the Acts of**
2 **2002**

3 SECTION 12. AND BE IT FURTHER ENACTED, That Section 3 of this Act
4 shall take effect July 1, 2001. [On] IT SHALL REMAIN EFFECTIVE FOR A PERIOD OF 5
5 YEARS AND, AT THE END OF June 30, [2003] 2006, with no further action required by
6 the General Assembly, Section 3 of this Act shall be abrogated and of no further force
7 and effect.

8 **Chapter 135 of the Acts of 2001, as amended by Chapter 153 of the Acts of**
9 **2002**

10 SECTION 12. AND BE IT FURTHER ENACTED, That Section 3 of this Act
11 shall take effect July 1, 2001. [On] IT SHALL REMAIN EFFECTIVE FOR A PERIOD OF 5
12 YEARS AND, AT THE END OF June 30, [2003] 2006, with no further action required by
13 the General Assembly, Section 3 of this Act shall be abrogated and of no further force
14 and effect.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 ~~July~~ June 1, 2003. It shall remain effective for a period of 3 years and 1 month and, at
17 the end of June 30, 2006, with no further action required by the General Assembly,
18 this Act shall be abrogated and of no further force and effect.